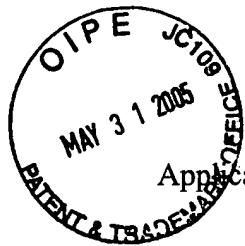


May 27, 2005

1FW  
26438

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants:

Derek D. Mahoney, Walter P. Sjursen, Wayne J. Staab  
and Marvin Leedom

Application No.:

09/524,040

Group:

2643

Filed:

March 13, 2000

Examiner:

Nguyen, Tuan Duc

Confirmation No.:

6480

For:

ONE-SIZE-FITS-ALL UNI-EAR HEARING INSTRUMENT

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

May 27, 2005

Date

Signature

Meredith Murray

Typed or printed name of person signing certificate

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply to Office Action for filing in the above-identified application.

[ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

06/01/2005 AKELECH1 00000014 09524040

01 FC:1253

1020.00 OP

**The claims fee has been calculated as shown below:**

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	10	MINUS	* 20	0
INDEP	3	MINUS	** 6	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

\* not fewer than 20

\*\* not fewer than 3

## SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 25	\$
X	\$ 100	\$
+	\$ 180	\$

TOTAL= \$ 0OTHER THAN  
SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 50	\$
X	\$ 200	\$
+	\$ 360	\$

TOTAL= \$ 0**The Application Size Fee has been calculated as shown below:***(Effective for cases filed on or after December 8, 2004)*

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)

## SMALL ENTITY

Rate	Total Amount Owed
X \$125	\$[ ]

OTHER THAN  
SMALL ENTITY

Rate	Total Amount Owed
X \$250	\$[ ]

Payment  
Sufficient for  
up to

[ ] Sheets

**Petition for Extension of Time**

[ X ] Applicant hereby petitions to extend the time to respond to the Office Action dated November 30, 2004 for three months from February 28, 2005 to May 30, 2005. The appropriate fee is set forth below.

[ ] [For action-specific language in an extension of time, go to insert, file, public folders, firm templates, and select the appropriate paragraph.]

**Please charge Deposit Account No. 08-0380 for the following fees:**

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

**A check is enclosed in payment of the following fees:**

<input checked="" type="checkbox"/>	Petition for three month Extension of Time	\$	<u>1020</u>
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>1020</u>

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy  
Kevin T. Shaughnessy  
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Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 5/27/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Derek D. Mahoney, Walter P. Sjursen, Wayne J. Staab and Marvin Leedom

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<u>May 27 2005</u>	<u>[Signature]</u>
Date	Signature
<u>Meredith Murray</u>	
Typed or printed name of person signing certificate	

REPLY TO OFFICE ACTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply to Office Action is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on November 30, 2004 in the above-identified application. Reconsideration and further examination are requested.

An extension of time to respond to the Office Action is respectfully requested. A Petition for Extension of Time and the appropriate fee are being filed concurrently with this Amendment.